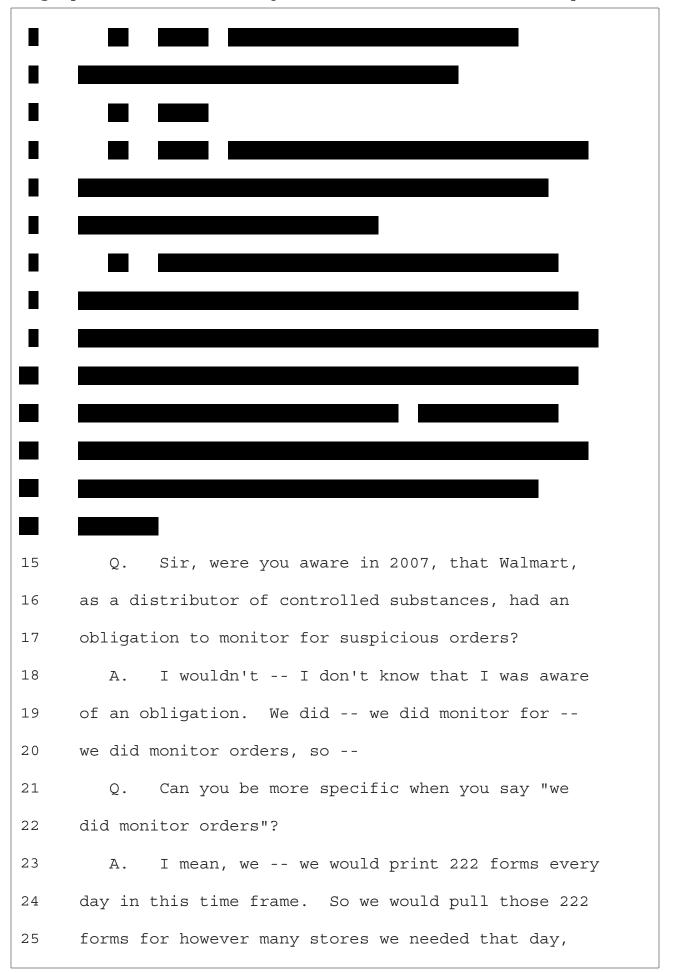
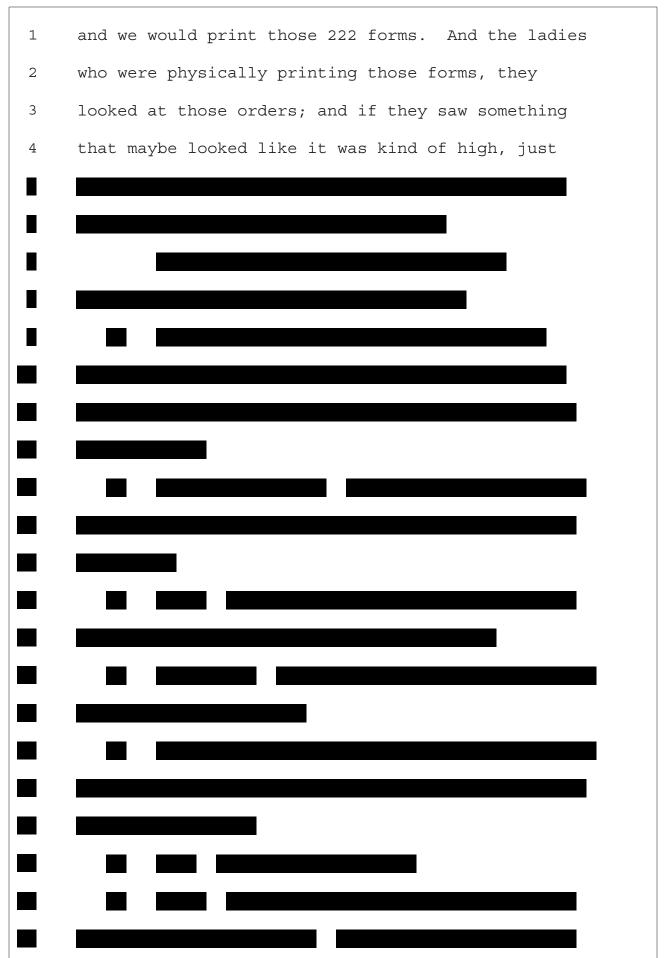
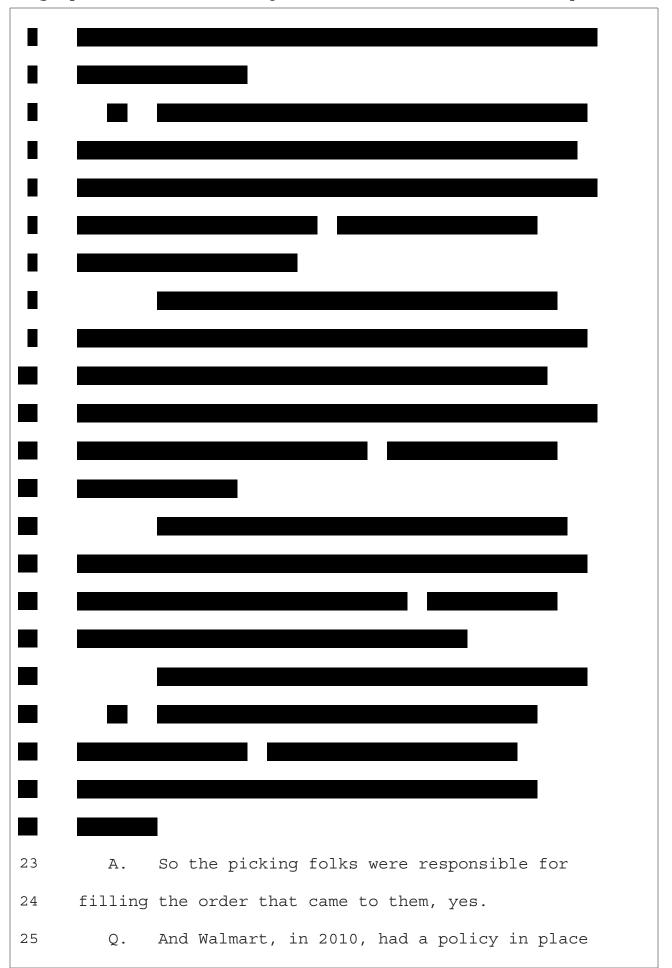
## EXHIBIT 310

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IN THE UNITED STATES DISTRICT COURT
 1
 2
            FOR THE NORTHERN DISTRICT OF OHIO
 3
                     EASTERN DIVISION
 4
 5
     IN RE NATIONAL PRESCRIPTION | Case No. 17-MD-2804
 6
     OPIATE LITIGATION
                                   Hon. Dan A. Polster
    APPLIES TO ALL CASES
 8
 9
10
               Thursday, November 15, 2018
11
12
          HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER
13
                  CONFIDENTIALITY REVIEW
14
15
16
17
          Videotaped deposition of JEFF ABERNATHY,
18
    held at the offices of Mitchell Williams,
     4206 South J.B. Hunt Drive, Suite 200, Rogers,
    Arkansas, commencing at 9:37 a.m., on the above
     date, before Susan D. Wasilewski, Registered
     Professional Reporter, Certified Realtime
20
     Reporter and Certified Realtime Captioner.
21
22
23
24
                GOLKOW LITIGATION SERVICES
           877.370.3377 ph | 917.591.5672 fax
25
                     deps@golkow.com
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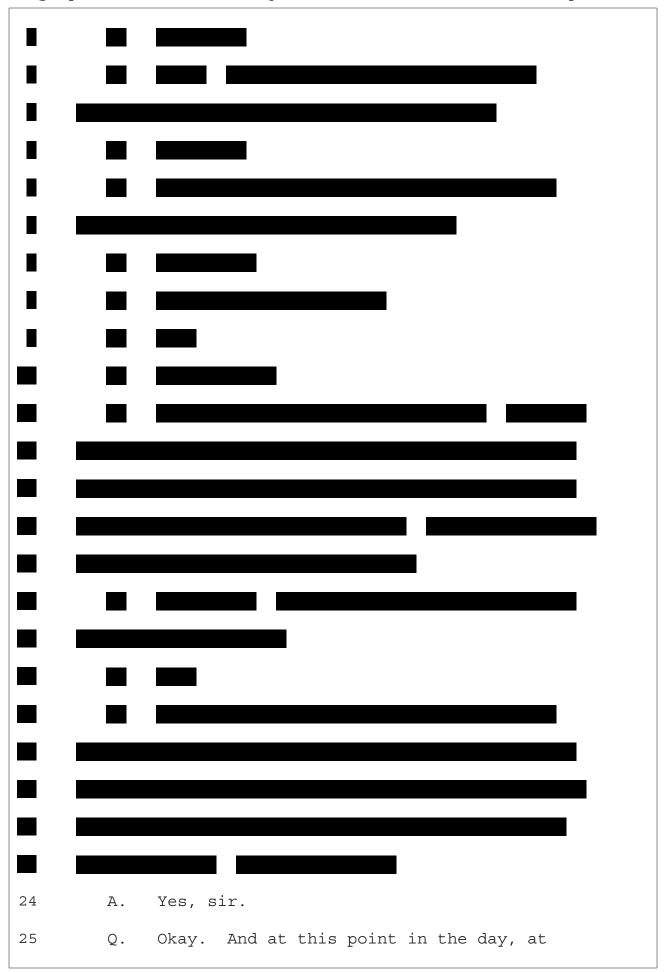


1	where the folks who were responsible for picking the
2	orders would also report to you if they saw anything
3	suspicious?
4	A. I can't say that there was a policy stating
5	that. They they would just do that.

6 So during this time period in 2012, let's say an order for oxy 5 milligram comes in on a 7 8 Monday for 51 bottles. Okay? 9 Α. For which drug? 10 Ο. Oxy 5 milligrams. 11 Α. Okay. 12 Q. Okay? You're supposed to have a process in 13 place, right, where you look at orders over 50, 14 correct? 15 Α. Yes. Okay. And what was the expectation as to --16 17 with respect to when that order would be filled and 18 shipped, if the order came in on a Monday? So Monday morning, typically when Jimmie 19 20 came in, since he was the first one in, before we 21 started the pick process, he would pull all of those 22 orders and export it to a spreadsheet and then we 23 would, you know, sort those to show me orders or in the order column, show me everything over 50, show 24 me all the oxy's over 30, and we would filter it out 25

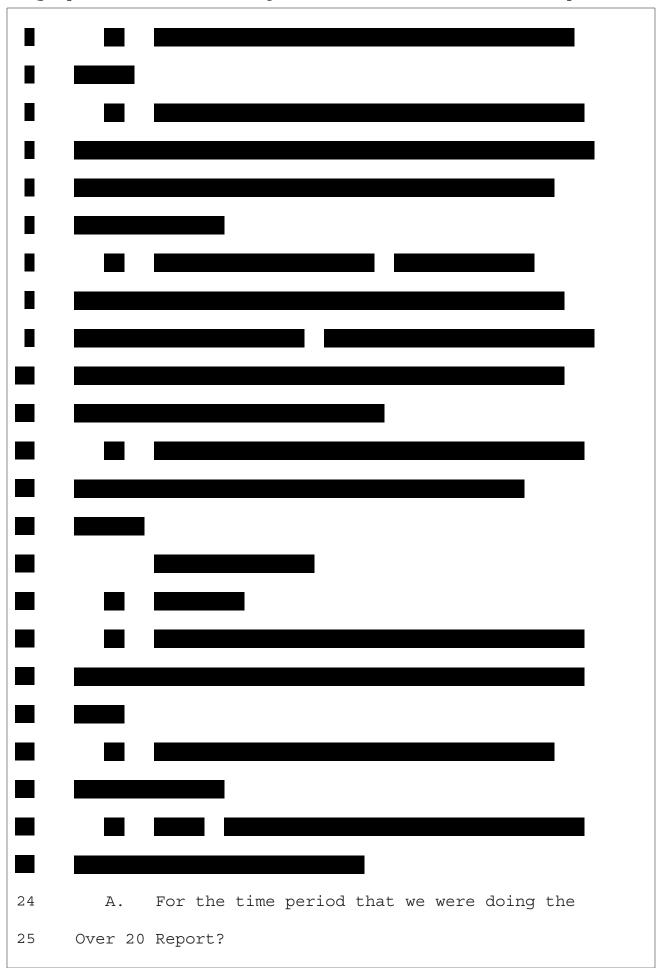
- 1 that way so that we could see here is all of my
- 2 oxy-30s that were over 20 and here's all the other
- drugs that were over 50.
- 4 Q. And if another dosage of oxycodone was over
- 5 50, what would you do?
- 6 MR. MAZZA: Object; form.
- 7 Q. I'll strike that.
- If another order came in for another dosage
- 9 of oxycodone that was not oxy-30s, it was oxy-10s or
- 10 oxy-5s, that was over 50 bottles -- we're talking
- 11 bottles, correct?
- 12 A. Yes.
- Q. Okay. What would you do?
- 14 A. So I guess I don't understand when you say
- 15 "another order." Like the next store in line?
- 16 O. Well, let's -- let's take a step back. All
- 17 right.
- 18 A. Okay.
- 19 Q. Go back to my first example, right. A store
- orders 51 bottles of oxy-5 milligrams on Monday.
- 21 A. Okay.
- Q. The order comes in on Monday. You get your
- printout of that order. Then what happens?
- A. So then we would send that over to the team,
- the teams I spelled out, and we would say, "This

- 1 store for this product ordered 51 bottles."
- Q. And from your perspective, what would happen
- 3 next?
- 4 A. Then we would wait. If they would send us
- 5 back whatever communication or if we needed to do
- 6 something with the order, we would just wait for
- 7 that.
- 8 Q. And how would they inform you of what to do
- 9 with the order?
- 10 A. E-mail.
- 11 Q. And that's what happened on a daily basis,
- 12 correct?
- 13 A. Yes, sir.
- Q. During this time period, when would you have
- 15 expected to hear back from them regarding what to do
- 16 with the order?
- 17 A. So we shipped every day at 3:00 p.m. I mean
- 18 we had had discussion, that's the -- that's the time
- 19 we ship. They had known that. So if we didn't hear
- anything back by 3:00 p.m., then we went ahead and
- 21 shipped the item.



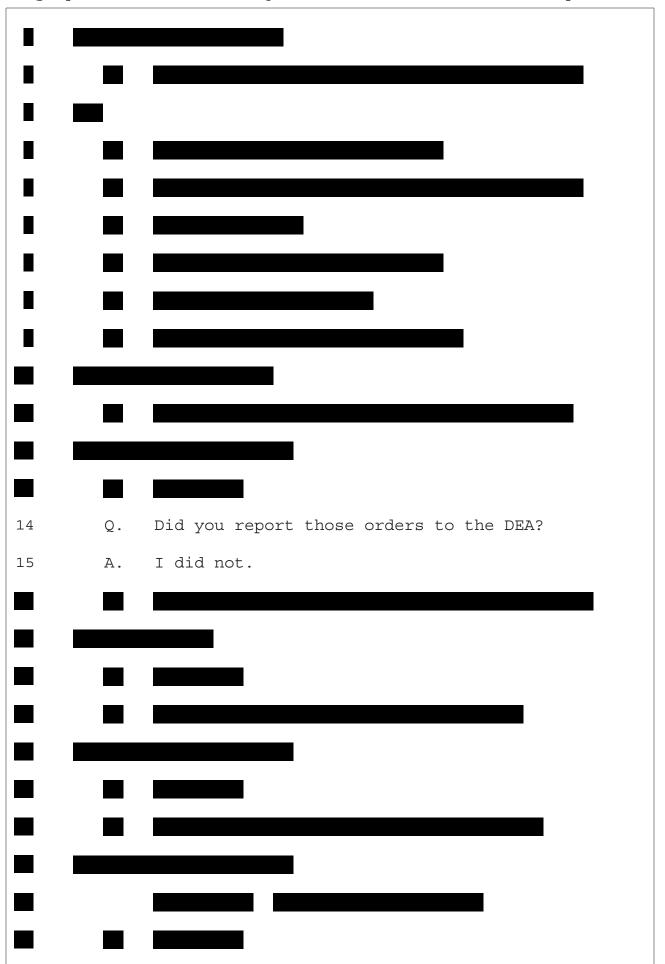
- 1 9:38 a.m., had he already reviewed that day's
- 2 orders?
- 3 A. Yes, sir.
- Q. And he had decided to cut some orders,
- 5 correct?
- 6 A. Yes, sir.
- 7 Q. And he had decided to not cut other orders,
- 8 correct?
- 9 A. Yes, sir.
- 10 Q. Okay. Had he -- had -- strike that.
- 11 For the orders that he decided to cut, what
- 12 would be the basis for that decision?
- MR. MAZZA: Object; foundation.
- 14 A. I -- I don't know. I mean --
- Q. Well, sir, you also had -- this was also
- 16 your responsibility at the time period, correct?
- 17 A. It was my responsibility if I came in first
- 18 that day.
- 19 Q. Right. So what was the criteria for
- 20 cutting?
- 21 A. If anything over 20 bottles of oxycodone-30,
- 22 cut it to 20.

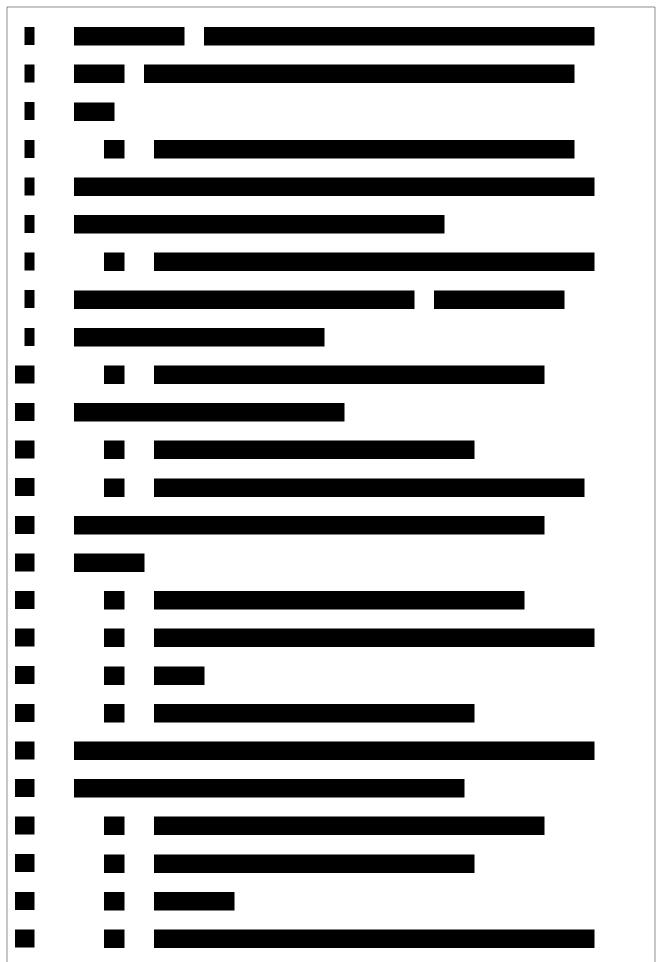




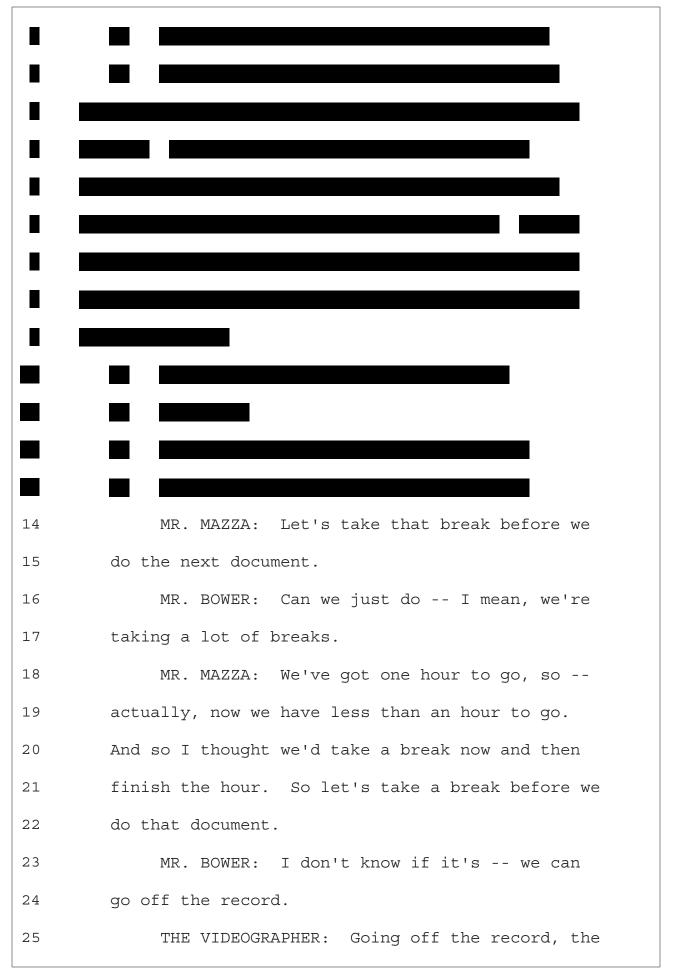
- 1 Q. Right.
- 2 A. We would be the ones cutting them at the DC.
- 3 Q. And someone --
- 4 A. If we were instructed to do that.
- 5 Q. Right.
- And how would -- how would -- how would of
- 7 those -- those instructions come to you, via e-mail
- 8 or telephone?
- 9 A. E-mail.
- 10 Q. Do you recall an instance -- any instance
- 11 where you got an e-mail to cut an order?
- 12 A. I don't remember any given instance to --
- 13 that we did that.
- Q. Do you remember that ever happening in this
- four- to five-year time frame?
- 16 A. In this time frame for the Over 20 Report, I
- don't remember -- I don't remember me getting any
- 18 kind of a phone call or an e-mail to cut an order.
- 19 Q. So you guys were running these reports daily
- for four to five years, and you never recall
- 21 receiving any direction to cut an order; is that
- 22 correct?
- 23 A. I don't remember -- I don't remember getting

1	Q. Are you familiar with any time period, based
2	on your experience at 6045, when an order that
3	showed up on an Over 20 Report had to wait four days
4	before it was shipped?
5	A. For the Over 20 Report, I don't ever
6	remember holding an order during the time frame we
7	were using that report.

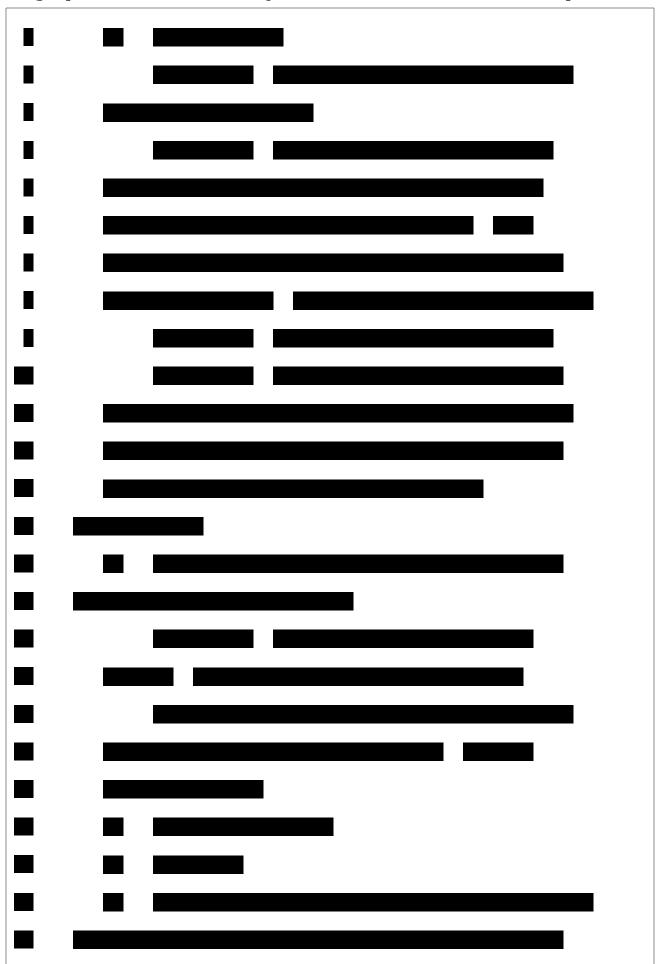


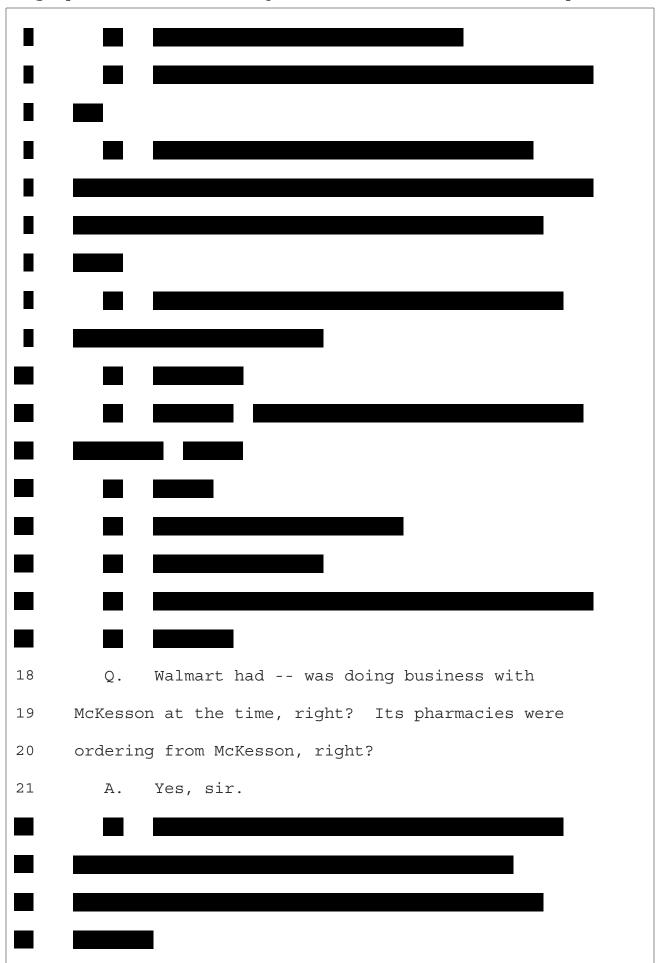


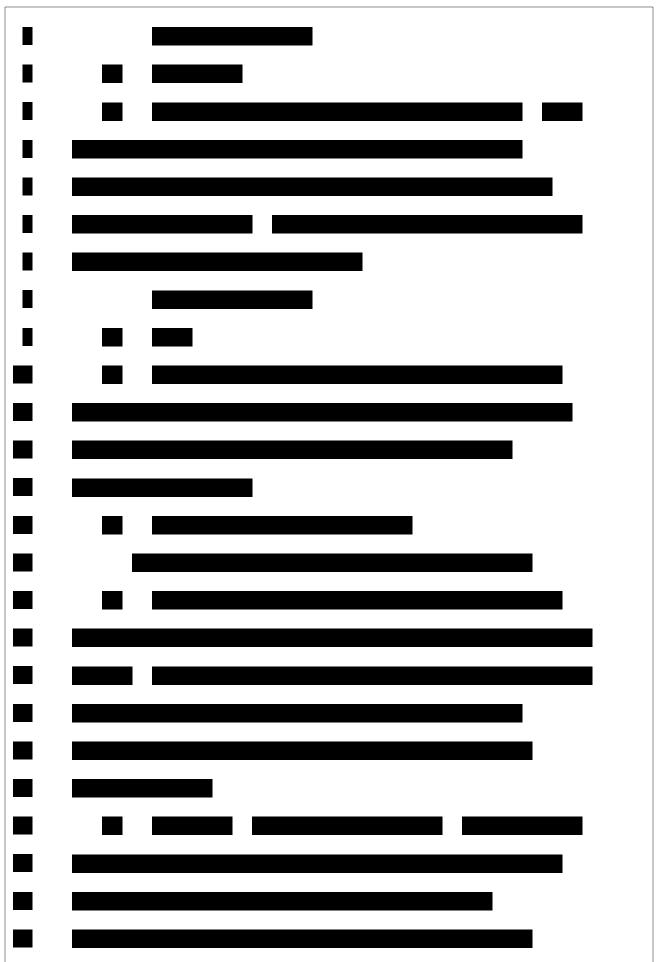


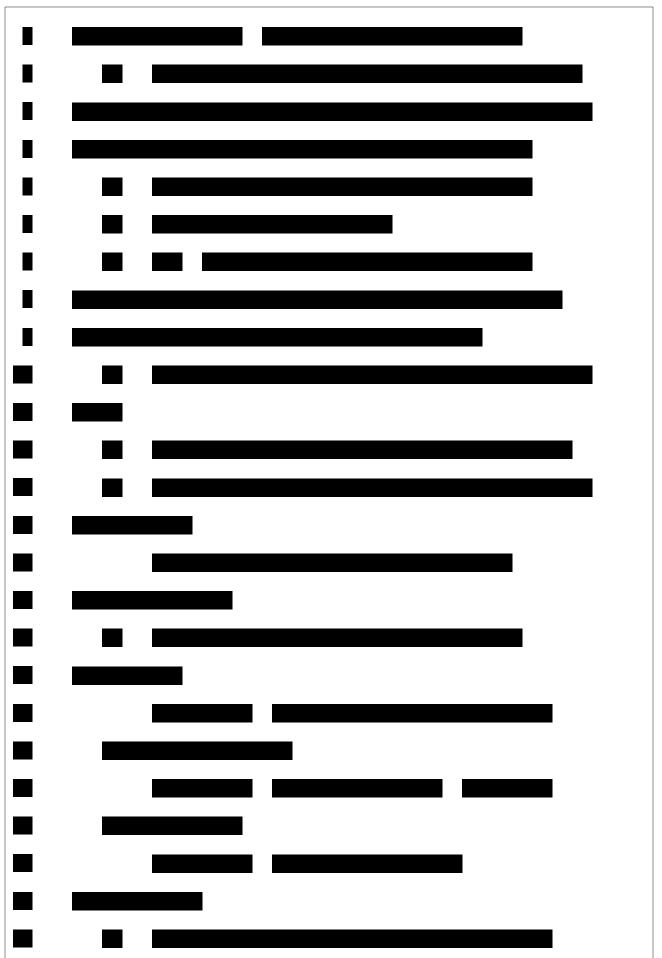


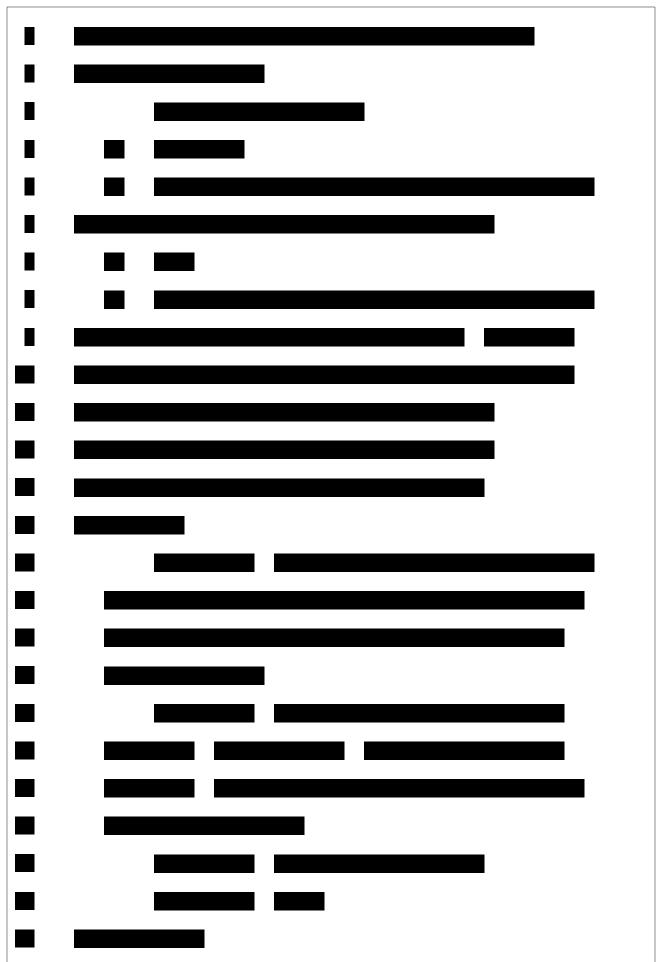
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time is 5:20.
1
            (Recess from 5:20 p.m. until 5:34 p.m.)
             THE VIDEOGRAPHER: We're going back on the
3
        record, beginning of Media File Number 7. The
4
        time is 5:34.
5
             (Abernathy Exhibit 25 was marked for
6
     identification.)
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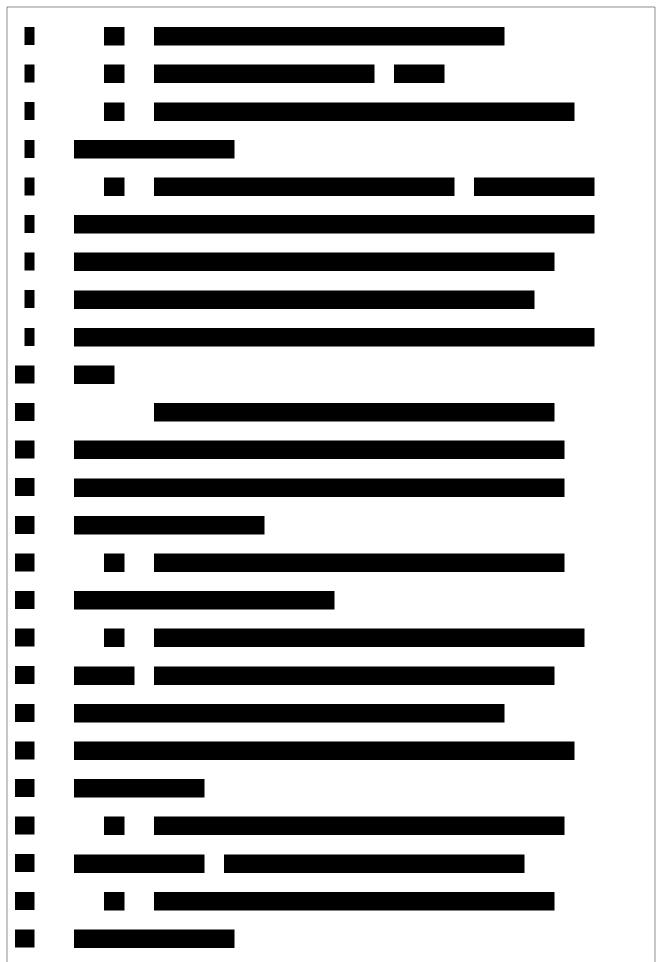


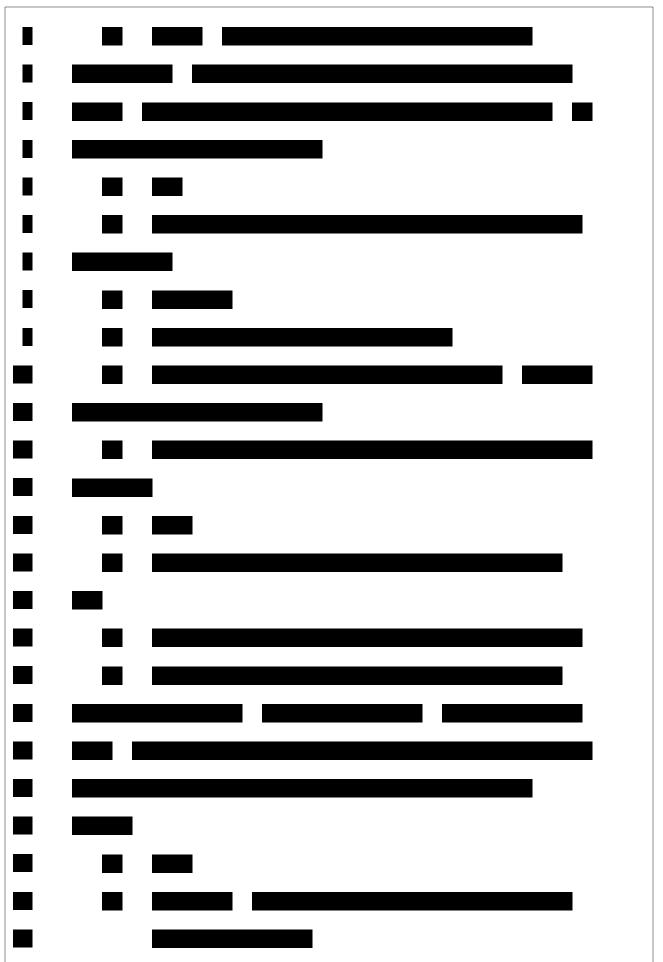


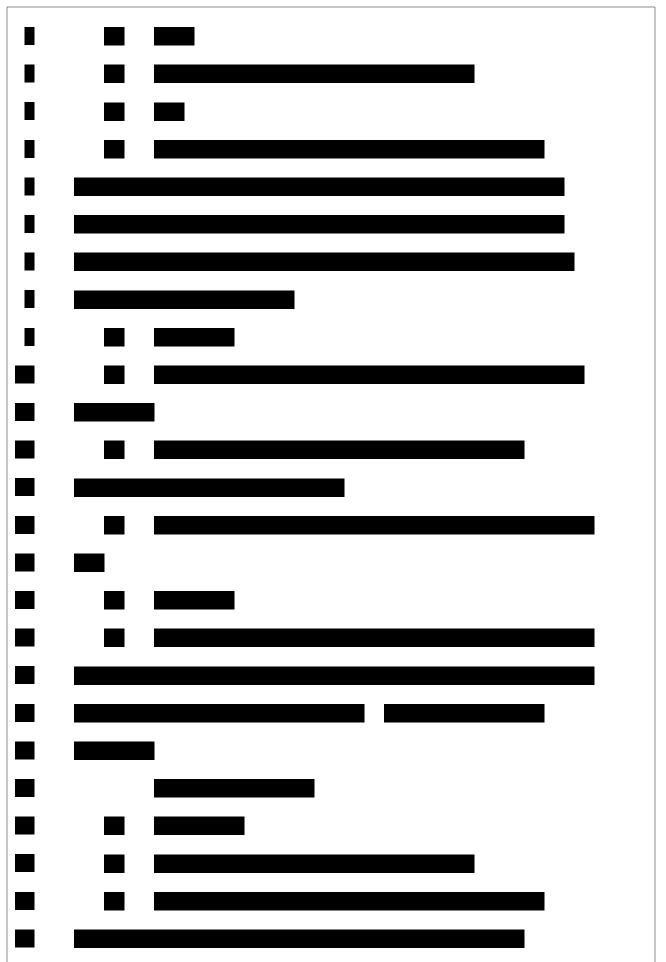


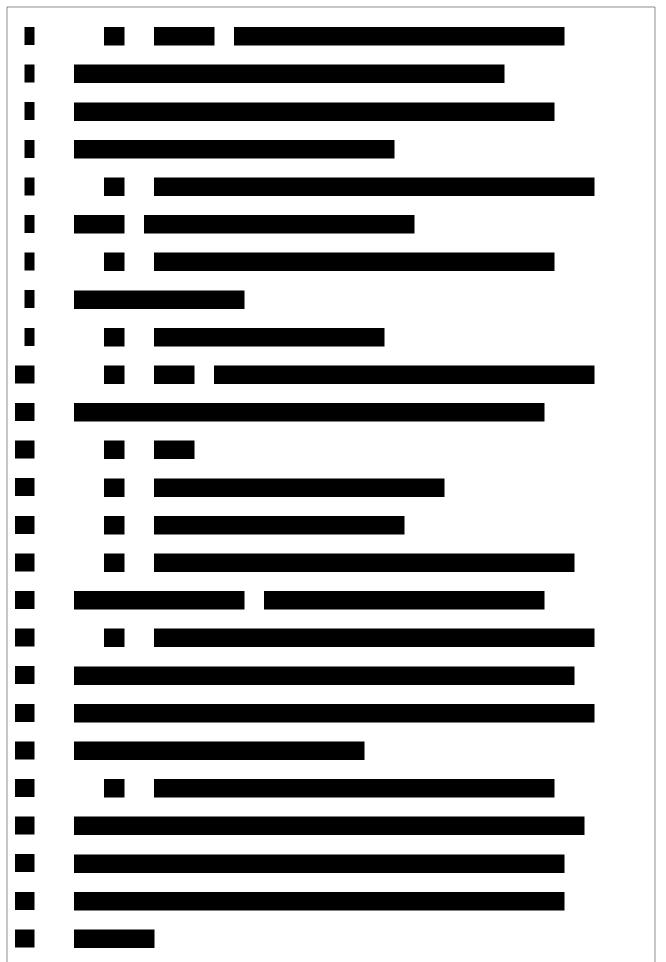


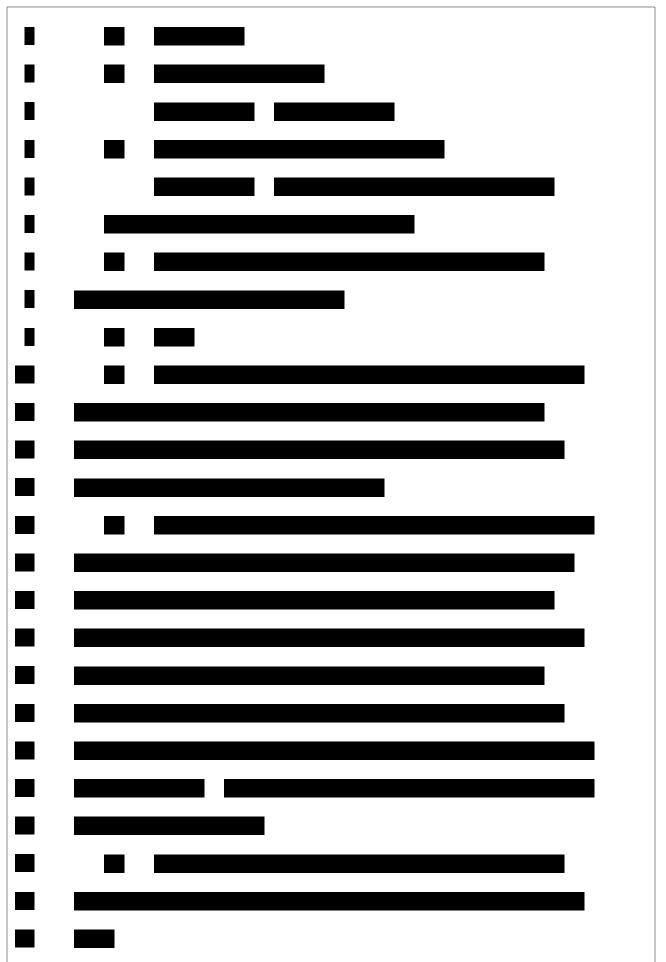


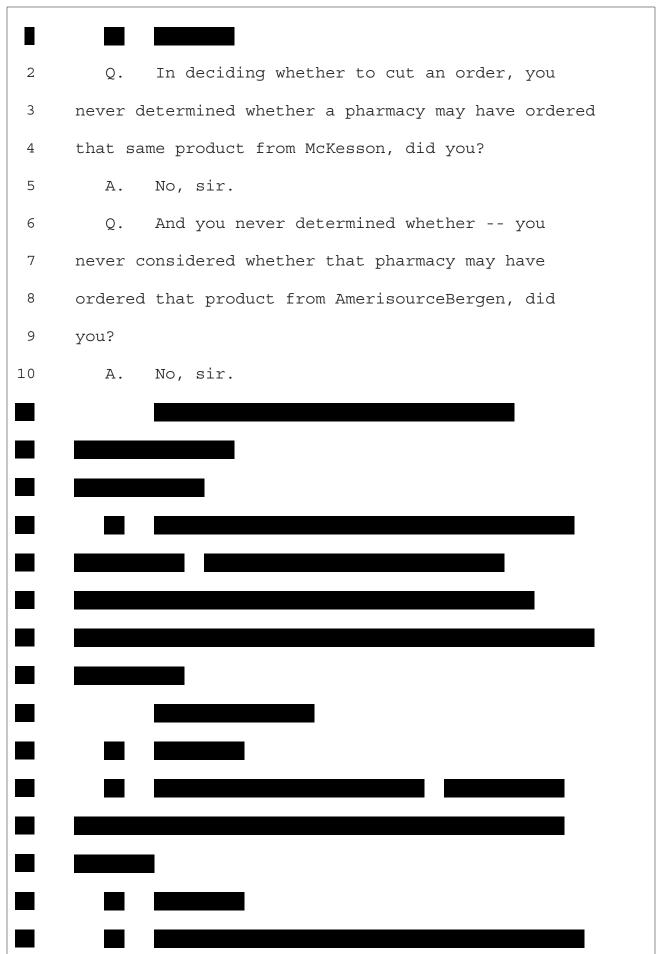


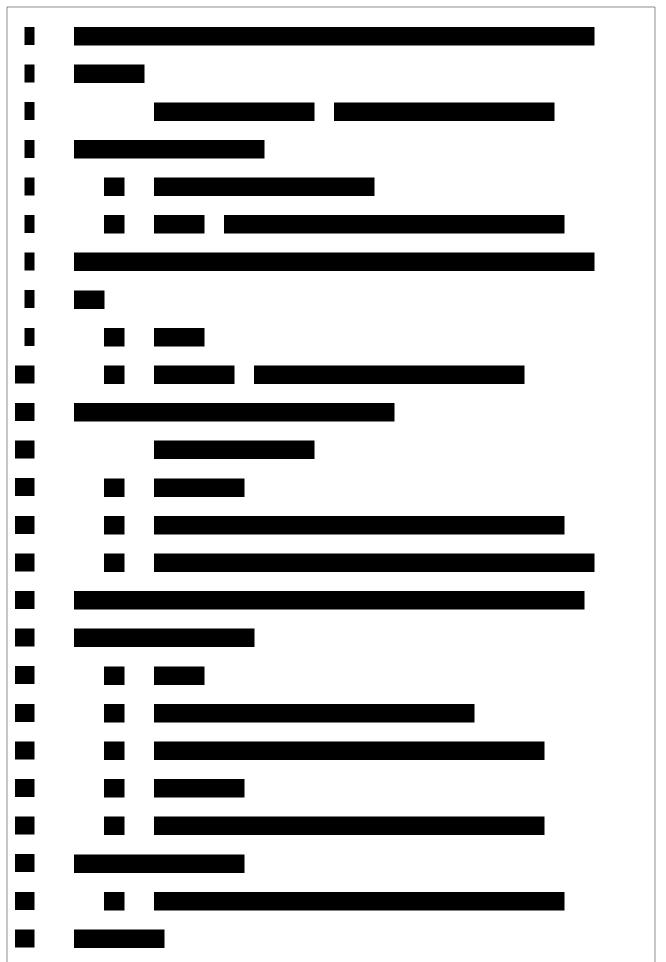


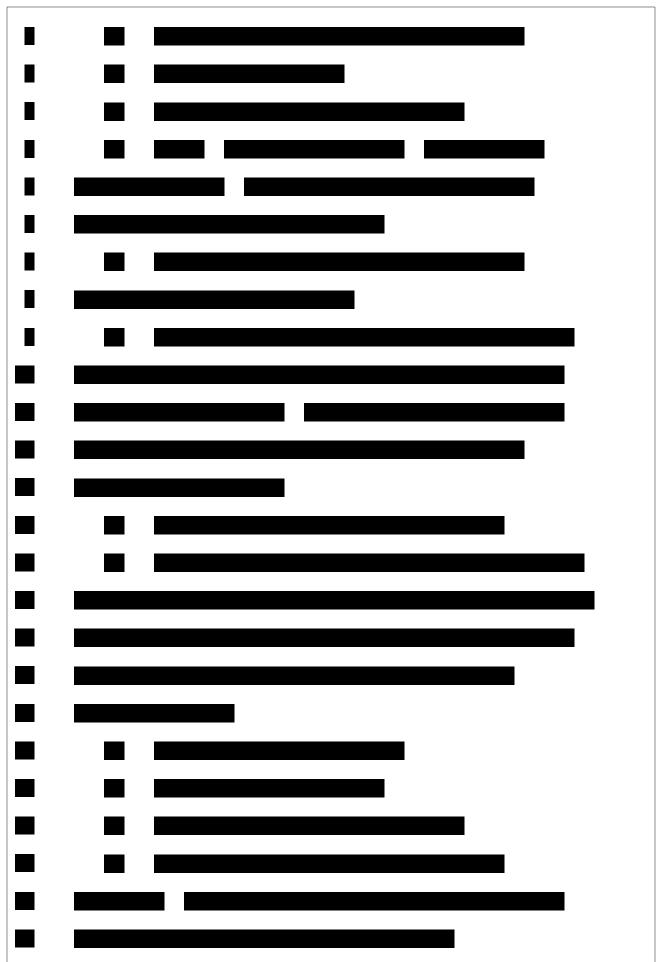












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1
              MR. BOWER: All right. Let's go off the
         record for a minute.
              THE VIDEOGRAPHER: Going off the record.
 3
         The time is 5:52.
 4
 5
             (Recess from 5:52 p.m. until 5:57 p.m.)
              THE VIDEOGRAPHER: We're back on record, the
 6
 7
         beginning of Media File Number 8. The time is
 8
         5:57.
              (Abernathy Exhibit 28 was marked for
 9
      identification.)
10
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